UNITED
NATIONS

E

Economic and Social
Council

Distr.
LIMITED

E/CN.4/1998/L.64
14 April 1998

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Fifty-fourth session
Agenda item 9 (a)

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

ALTERNATIVE APPROACHES AND WAYS AND MEANS WITHIN THE UNITED NATIONS SYSTEM FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

Algeria*, Azerbaijan*, Colombia*, Cuba, Egypt*, Pakistan, Peru, Russian Federation, Sri Lanka and Turkey*: draft resolution

1998/... Human rights and terrorism

The Commission on Human Rights,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations and the International Covenants on Human Rights,

---

* In accordance with rule 69, paragraph 3, of the rules of procedure of the functional commissions of the Economic and Social Council.

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations adopted by the General Assembly in its resolution 50/6 of 24 October 1995,

Recalling also the Vienna Declaration and Programme of Action (A/CONF.157/23), adopted by the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,

Recalling further General Assembly resolutions 46/51 of 9 December 1991, 49/60 of 9 December 1994, 50/53 of 11 December 1995, 50/186 of 22 December 1995, 51/210 of 17 December 1996 and 52/133 of 12 December 1997, as well as its own resolution 1997/42 of 11 April 1997,

Noting resolution 1997/39 of 28 August 1997 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, and noting the decision to conduct a comprehensive study on human rights and terrorism which may include the possibility of studying the impact of terrorism in all its forms and manifestations on the vulnerable groups of the society such as women, children, the elderly, refugees, minorities and indigenous people,

Recalling that the Universal Declaration of Human Rights, which marks its fiftieth anniversary in 1998, states in its preamble that every individual and every organ of society shall strive by teaching and education to promote respect for all rights and freedoms enshrined in the Declaration,

Convinced that terrorism, in all its forms and manifestations, wherever and by whomever committed, can never by justified in any instance, including as a means to promote and protect human rights,

Taking into account that acts of terrorism in all their forms and manifestations aimed at the destruction of human rights have continued despite national and international efforts,

Bearing in mind that the most essential and basic human right is the right to life,

Bearing also in mind that terrorism in many cases poses a severe challenge to democracy, civil society and the rule of law,

Bearing further in mind that terrorism creates an environment that destroys the freedom from fear of the people,

Reiterating that all States have an obligation to promote and protect human rights and fundamental freedoms, and that everyone should strive to secure their universal and effective recognition and observance,

Seriously concerned at the gross violations of human rights perpetrated by terrorist groups,

Profoundly deploring the high number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

Noting with great concern that many terrorist groups are connected with other criminal organizations engaged in the illegal traffic in arms and illicit drug trafficking at the national and international levels, as well as the consequent commission of serious crimes such as murder, extortion, kidnapping, assault, taking of hostages, robbery, money laundering and rape,

Mindful of the need to protect human rights of and guarantees for the individual in accordance with the relevant human rights principles and instruments, particularly the right to life,

Reaffirming that all measures to counter terrorism must be in strict conformity with international law including international human rights standards,

Stressing the need further to strengthen international cooperation between States, international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomever committed, and inviting interested non-governmental organizations to join States in condemning terrorism,

Noting that the General Assembly requested the Secretary-General to continue to seek the views of Member States on the possible establishment of a voluntary fund for the victims of terrorism,

1. Expresses its solidarity with the victims of terrorism;

2. Condemns the violations of the right to live free from fear and of the right to life, liberty and security;

3. Reiterates the unequivocal condemnation of all acts, methods and practices of terrorism, regardless of their motivation, in all its forms and manifestations, wherever and by whomever committed, as acts aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately

constituted Governments, undermining pluralistic civil society and the rule of law and having adverse consequences for the economic and social development of the State;

4. Condemns incitement of ethnic hatred, violence and terrorism;

5. Calls upon States to take all necessary and effective measures, in strict conformity with international law including international human rights standards, to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomever committed;

6. Urges the international community to enhance cooperation at the regional and international levels in the fight against terrorism in all its forms and manifestations, in accordance with relevant international instruments, including those relating to human rights, with the aim of its eradication;

7. Urges all relevant human rights mechanisms and procedures, as appropriate, to address the consequences of the acts, methods and practices of terrorist groups in their forthcoming reports to the Commission;

8. Takes note of the working paper submitted by Ms. Kalliopi K. Koufa to the Sub-Commission entitled "Terrorism and human rights" (E/CN.4/Sub.2/1997/28), and notes in particular the need to further study the role and responsibility of non-State actors in the sphere of human rights;

9. Requests the Secretary-General to continue to collect information, including a compilation of studies and publications, on the implications of terrorism, as well as on the effects of the fight against terrorism, on the full enjoyment of human rights from all relevant sources, including Governments, specialized agencies, intergovernmental organizations, non-governmental organizations and academic institutions, and to make it available to the concerned special rapporteurs and working groups of the Commission on Human Rights for their consideration;

10. Decides to continue consideration of the question at its fifty-fifth session as a matter of priority.